

**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA  
PHILADELPHIA DIVISION**

In Re: WILTON RODRIQUEZ Debtor(s) SELECT PORTFOLIO SERVICING, INC. AS SERVICER FOR TOWD POINT MORTGAGE TRUST 2019-2, U.S. BANK NATIONAL ASSOCIATION, AS INDENTURE TRUSTEE Movant v. WILTON RODRIQUEZ Debtor(s) WILLIAM C. MILLER, ESQ. Trustee Respondent(s)	Chapter 13  Case Number: 18-10163-mdc
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**MOTION FOR RELIEF FROM AUTOMATIC STAY WITH RESPECT TO PROPERTY: 6721  
LARGE ST, PHILADELPHIA, PA 19149-2123**

Select Portfolio Servicing, Inc. as servicer for Towd Point Mortgage Trust 2019-2, U.S. Bank National Association, as Indenture Trustee, through its Counsel, Stern & Eisenberg PC, respectfully requests the Court grant its Motion for Relief and in support thereof respectfully represents as follows:

1. Movant is Select Portfolio Servicing, Inc. as servicer for Towd Point Mortgage Trust 2019-2, U.S. Bank National Association, as Indenture Trustee (hereafter referred to as “Movant”).
2. Debtor(s), Wilton Rodriquez (hereinafter, “Debtor(s)”), is/are, upon information and belief, adult individual(s) whose last-known address is 6721 Large St, Philadelphia, PA 19149-2123.
3. On April 18, 2006, Wilton Rodriguez, executed and delivered a Note in the principal sum of \$23,000.00 to Countrywide Bank, N.A. A copy of the Note is attached as Exhibit “A” and is hereby incorporated by reference.
4. As security for the repayment of the Note, Wilton Rodriguez, executed and delivered a Mortgage to Mortgage Electronic Registration Systems, Inc., as Nominee for Countrywide Bank, N.A.. The Mortgage was duly recorded in the Office of the Recorder of Deeds in and for Philadelphia County on May 2, 2006 in Instrument 51432693. A copy of the Mortgage is attached as Exhibit “B” and is hereby incorporated by reference.
5. The Mortgage encumbers Debtor’s real property located at 6721 Large St, Philadelphia, PA 19149-2123.
6. By assignment of mortgage, the loan was ultimately assigned to Towd Point Mortgage Trust 2019-2, U.S. Bank National Association, as Indenture Trustee. A true and correct copy of the assignment is attached as Exhibit “C” and is hereby incorporated by reference.

7. Debtor(s) filed the instant Chapter 13 Bankruptcy on January 10, 2018 and, as a result, any state court proceedings were stayed.
8. It is believed and therefore averred that Debtor(s) filed the instant bankruptcy as an additional delay in order to prevent Movant from proceeding with the state court proceedings or otherwise institute proceedings as allowed under the Mortgage.
9. Debtor's mortgage loan is in default and is currently due for the October 25, 2020 payment and each subsequent payment through the date of the motion. Debtor(s) has/have failed to make the following post-petition payments to Movant:

**POST-PETITION PAYMENTS IN DEFAULT**

Monthly Payments in Default.....	10/25/2020 to 01/25/2021
Monthly payments (\$161.43 x 4)	\$645.72
Suspense Balance:	(\$41.91)
Total Amounts Due as of January 27, 2021:	\$603.81

10. In addition, Movant has incurred counsel fees and costs in association with Debtor's default and this motion.
11. As a result of the Debtor's default and failure to make payments or to otherwise adequately provide for Movant in the bankruptcy filing, Movant is not adequately protected and is entitled to relief.
12. To the extent the Court does not find that relief is appropriate, then Movant requests that the stay be conditioned such that in the event the Debtor(s) fall(s) behind on post-petition payments or trustee payments that Movant may receive relief upon default by the Debtor(s) of the terms of the conditional order.
13. Movant requests that the stay of Bankruptcy Rule 4001(a)(3) be waived.

WHEREFORE, Movant, Select Portfolio Servicing, Inc. as servicer for Towd Point Mortgage Trust 2019-2, U.S. Bank National Association, as Indenture Trustee, respectfully requests this Court to grant the appropriate relief under 11 U.S.C. §362 from the automatic stay as set forth in the proposed order together with waiver of Bankruptcy Rule 4001(a)(3).

Respectfully Submitted:

Stern & Eisenberg, PC

By: /s/ Daniel P. Jones

Daniel P. Jones

Bar Number: 321876

Email: djones@sterneisenberg.com

Date: